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8UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

11 JAMES M. KINDER,) CONSOLIDATED ACTION
12 v. Plaintiff,) Lead Case No.: 07cv2132 DMS (AJB)
13 NATIONWIDE RECOVERY SYSTEMS, INC.,) ORDER FOLLOWING CASE
14 Defendants.) MANAGEMENT CONFERENCE
15 _____)
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On August 15, 2008, the Court convened a Case Management Conference in the above entitled action. Appearing were Chad Austin, Esq. on behalf of plaintiff; David Kaminski, Esq., Harvey Moore, Esq., Adam Hamberg, Esq., Debbie Kirkpatrick, Esq., Brian Shartle, Esq., Ansis Viksnins, Esq., John Bayncon, Esq. and Ron Guisso, Esq. on behalf of defendants.

Counsel have discussed the next step in the case. Defendants have additional issues to present relative to remand or, in the alternative, the posting of bond, as well as, some substantive issues to present by motion. The parties are going to take this in two stages, proceeding with the procedural first and the substantive second. There is an issue pending with regard to whether any discovery is necessary to get to the substantive motion phase. That will be determined by the Court at a later date.

Defense will pursue the procedural issues in the joint motion, on all bases, at this time. The Court sets a telephonic Case Management Conference for **November 17, 2008 at 9:30 a.m.** Plaintiff's counsel will initiate the call. At that time, the court will discuss further the parties issues with regard to

1 discovery, the setting of motions on legal issues, and the prospects for a settlement conference in the
2 case.

3 IT IS SO ORDERED.
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5 DATED: August 18, 2008
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Hon. Anthony J. Battaglia
U.S. Magistrate Judge
United States District Court

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